

York being a conspicuous example, *Condon-Wadlin Act*, or *Rockefeller v. Travia*, the law puts certain restrictions on the part of the public employees to strike. Nevertheless, in New York, the public employees as well as private employees have the right to organize and bargain collectively. As I understand it, Amendment No. 21 does not in any way affect the power the General Assembly to restrict or regulate the right to strike, certainly, on the part of public employees, and I suppose even on the part of employees in industry affected with the public interest. A recent example on the Congressional level was the Compulsory Arbitration Act passed by the Congress by which the railroad employees were required to arbitrate with the railroads. No union has enjoyed for a longer time greater rights at collective bargaining than the railroad employees. Nevertheless, the congressional power to regulate their right to strike under certain conditions is perfectly clear and well established. Similarly, the General Assembly of Maryland, which need not proceed under the Interstate Commerce Clause, has plenary power, as the legislature may regulate the right to strike in connection certainly with their own employees, employees of the State, and in industry affected with the public interest. I see nothing in Amendment No. 21 that restricts that right. Therefore, I regard Amendment No. 25 as unnecessary, and perhaps as going too far because there could be examples of where the General Assembly would want to regulate or restrict the right to strike on the part of some public employees, but not on the part of the others.

I submit that the General Assembly should be entitled to retain that flexibility and I wish this Convention would remember a cardinal reason that we forget too often, or have forgotten too often in our deliberations, namely, that the General Assembly of Maryland has plenary legislative power and we do not have to write it into the constitution every time we take up a section.

THE CHAIRMAN: Does any other delegate desire to speak in favor of the amendment?

*(There was no response.)*

Does any delegate desire to speak in opposition?

*(There was no response.)*

The Clerk will ring the quorum bell.

For what purpose does Delegate Hardwicke rise?

DELEGATE HARDWICKE: Mr. Chairman, I would like to make one brief point against this amendment.

THE CHAIRMAN: You may speak.

DELEGATE HARDWICKE: In case this is adopted, it appears to me as a matter of legal construction that the fact that we would negative the right to strike in this one instance might by implication, and in my opinion would by implication, suggest the right to strike in all other instances not negated.

THE CHAIRMAN: The question arises on the adoption of Amendment No. 25 to Committee Recommendation R&P-1.

A vote Aye is a vote in favor of Amendment No. 25. A vote No is a vote against. Cast your votes.

Has every delegate voted? Does any delegate desire to change his vote?

*(There was no response.)*

The Clerk will record the vote.

There being 32 votes in the affirmative and 84 votes in the negative, the motion is lost. The amendment is rejected.

Delegate Johnson, do you still desire to submit your Amendment AQ?

DELEGATE JOHNSON: Yes, Mr. Chairman.

THE CHAIRMAN: The pages will please distribute amendment AQ. This will be Amendment No. 26.

For what purpose does Delegate Ritter rise?

DELEGATE RITTER: A point of personal privilege, Mr. Chairman.

THE CHAIRMAN: State the privilege.

DELEGATE RITTER: I would like to state for the delegates assembled here and the President, that the views expressed by Delegate Scanlan were not those views of railroad labor pertaining to the compulsory arbitration laws that were just recently passed in Congress. They were merely the views of Brother Scanlan and the American Association of Railroads, not the Brotherhood of Railroad Trainmen, which I represent, because our views are very much different.

THE CHAIRMAN: Amendment No. 26.

The Clerk will read the amendment.

READING CLERK: Amendment No. 26 to Committee Recommendation R & P-1 by